

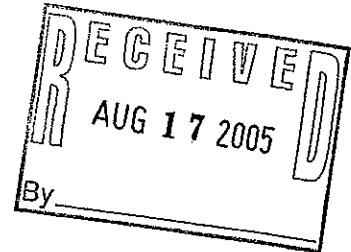
COMMONWEALTH OF MASSACHUSETTS
UNITED STATES DISTRICT COURT

CIVIL ACTION NO.: 04-11800DPW

ADAM HELFAND, CARON HELFAND,
AND MITCHELL HELFAND,
Plaintiffs

v.

THE JOHN DEWEY ACADEMY, INC.,
THOMAS BRATTER, CAROLE BRATTER,
KEN STEINER, AND GWENDOLYN
HAMPTON,
Defendants



DEPOSITION SUBPOENA DUCES TECUM
M.R.C.P. RULE 30(A) & RULE 45


TO: Berkshire County District Attorney
Attn: David A. Capeless, Esq.
7 North Street, P.O. Box 1969
Pittsfield, MA 01202

GREETINGS:

YOU ARE HEREBY COMMANDED in the name of the Commonwealth of Massachusetts in accordance with the provisions of Rule 45 of the Massachusetts Rules of Civil Procedure to appear and testify on behalf of the Plaintiffs, Adam Helfand, Caron Helfand, and Mitchell Helfand before a Notary Public of the Commonwealth of Massachusetts, at the offices of Laurence E. Hardoon, Esq. and Djuna E. Perkins, Esq., BRODY, HARDOON, PERKINS & KESTEN, LLP, One Exeter Plaza, Boston, MA 02116, on the 6th day of September, 2005 at 10:00 a.m., and to testify as to your knowledge, at the taking of the deposition in the above-entitled action. You are requested to bring with you the documents on the attached Schedule "A."

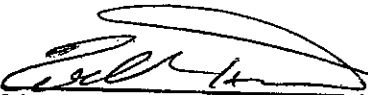
The requested records are to be used for purposes of litigation. Attorneys for the Plaintiff certify that, pursuant to 160 C.F.R. 164.512 (e), they have given notice this date of the within Notice of Taking Deposition and Deposition Subpoena to counsel for the Defendants, Joseph D. Steinfeld, Esq., William A. Worth, Esq., and Paige Scott Reed, Esq., Prince, Globel, Glovsky & Tye, LLP, 585 Commercial Street, Boston, MA 02109.


Hereof fail not as you will answer your default under the pains and penalties in the law in that behalf made and provided.



Laurence E. Hardoon, BBO# 221360
Djuna E. Perkins, BBO# 561909
Brody, Hardoon, Perkins & Kesten, LLP
One Exeter Plaza
Boston, MA 02116
(617) 880-7100

DATED: August 5, 2005



Notary Public:
My Commission Expires:  WILLIAM H. DEWSNAP, III
Notary Public
Commonwealth of Massachusetts
My Commission Expires
December 25, 2009

*****IN LIEU OF APPEARING, WE WILL ACCEPT CERTIFIED COPIES OF ALL DOCUMENTS REQUESTED IN SCHEDULE A. IF YOU HAVE AN OBJECTION TO THE DOCUMENTS REQUESTED OR CANNOT PROVIDE THIS OFFICE WITH A COMPLETE COPY OF THE DOCUMENTS, THE DEPOSITION MAY BE NECESSARY.*****

SCHEDULE 'A'

All records, including initial police reports, supplemental police reports, 911 tapes, booking sheets, complaints, pleadings, victim impact statements, and witness statements, related to criminal case no. 9929CR0656 (disposed 2002), or any other criminal case involving Defendant Thomas Bratter, D.O.B. 5/18/39.